

Fair Tonight and  
Wednesday.

# The Washington Times

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PRICE ONE CENT.

## DAVIS FACES TRIAL ON SWINDLE CHARGE WITHOUT EMOTION

Prisoner in Famous Case  
Unmoved During Open-  
ing by Prosecutor.

## INSANITY EXPECTED TO BE THE DEFENSE

Miss McKeown, of Cincinnati,  
Tells Story of Her Dealings  
With Accused.

Last John C. Davis, now on trial upon charges of swindling what is alleged to have been the most gigantic and wholesale swindle ever perpetrated in Washington, used Thomas A. Owen, a bargainer, and two women to assume the unconscious role of contractors, and in this manner to negotiate large sums for investment, in the contention made before the jury in Justice Stanford's court by Assistant District Attorney James M. Proctor, this morning.

Davis, who was formerly a member of the District bar, and whose defense it is thought will rest upon contentions that he is insane, sat throughout the District Attorney's arraignment this morning, his unshaven face immobile the greater part of the time.

After Mr. Proctor had completed his opening statement, Attorney Henry E. Davis, who is defending the prisoner, declared that he would reserve his opening statement.

Mr. Proctor declared to the jury, who were selected last yesterday afternoon, that Davis has been engaged in a gigantic fraudulent enterprise to cheat citizens of Washington and nearby cities. The charges against him allege false pretenses and embezzlement, it being claimed that he reaped a harvest of more than \$200,000 from investors, and the indictments themselves allege the misapplication of funds in excess of \$12,000.

### Government's Case.

The prosecutor told the jury of the manner in which the Government contends Davis obtained \$2,000 from Miss Nellie McKeown, of Cincinnati, and \$10,000 from Dr. Robert Lee Watkins, of Alexandria, upon representations that he was obtaining loans to carry on building operations.

Mr. Proctor said that in negotiating the loans Davis represented that he desired them for the use of Thomas A. Owen, E. M. Austin, and B. F. Wolf, contractors. The Government has promised to show that Owen was a large captain. Austin was in reality Ellen M. Austin, a stenographer in Government employ, and Wolf was in reality Miss Bertha F. Wolf, a clerk in the Pension Office, with all of whom Davis had had financial dealings, and all of whom signed the last inauguration of Davis socially.

Miss McKeown was the first witness to take the stand. She declared that she was in this city to attend the last inauguration of Davis socially. He told her, she said, that a contractor named Owen desired \$2,000 with which to buy lumber. Davis said that he would pay her \$300 for the use of the money for a short time, and that he did not have the money with her, but wrote to her Cincinnati brokers and obtained the amount.

### Davis Interrupts.

Miss McKeown was asked if she was ever told of a man named Sisson. Davis immediately broke in upon the examination with the explanation, "He lives in Alexandria."

Mr. Davis, his attorney, tried to restrain him, but Davis continued to contend, "Well, he does." He then relapsed again into his former lassitude.

The defense will, it is thought, put experts on the stand to prove that Davis was afflicted with insanity and committed to the insane asylum at Raleigh, N. C., in 1902, and that he still suffers from mental trouble. Upon the jury who will pass upon the fate of Davis are: William S. Harris, Thomas E. Ruppert, E. R. Gasch, John N. Ryan, W. H. Ryan, George W. King, George W. Pittman, George F. Pyles, Joseph Gordon, George F. Pyles, and Norman F. Fowler.

## PERU MOBILIZES TROOPS AT LIMA

LIMA, Peru, May 10.—Twenty-four thousand troops are mobilized here today in readiness to move on Ecuador the minute war is declared.

Ten thousand more troops have been dispatched to the frontier to be ready to strike the initial blow.

## WEATHER REPORT.

FORECAST FOR THE DISTRICT.  
Fair tonight and Wednesday; light to moderate west to northwest winds.

### TEMPERATURES.

8 a. m.	59
9 a. m.	62
10 a. m.	64
11 a. m.	66
12 noon.	68
1 p. m.	69
2 p. m.	70
3 p. m.	71

### SUN TABLE.

Sun rises..... 4:51

Sun sets..... 7:01

### TIDE TABLE.

Today—High tide, 8:43 a. m. and 9:12 p. m.; low tide, 3:40 a. m. and 3:25 p. m.

Tomorrow—High tide, 9:35 a. m. and 10:08 p. m.; low tide, 3:31 a. m. and 4:13 p. m.

### CONDITION OF THE WATER.

HARPERS FERRY, W. Va., May 10.—Potomac river, clear; Shenandoah river, a little muddy.

Flooding, G. Pine (No. 2), \$2.75 Per 100 ft. Frank Libbey & Co., 6th & N. E. Ave.—Adv.

## ROOSEVELT MEETS GERMAN WAR LORD

Americans Take Leading  
Part in Demonstration at  
Berlin Station.

## HITCH IN PROGRAM STIRS KAISER'S IRE

Train on Time, Officials Late.  
Alarming Stories of Health  
Are Denied.

BERLIN, May 10.—Theodore Roosevelt, advocate of international peace with the big stick, and Kaiser Wilhelm II, Europe's strenuous war lord, met today for the first time. Though the death of Edward VII altered the official plans for the reception of the former President of the United States, the Kaiser gave him a brotherly welcome.

Shortly after his arrival here from Stockholm, Mr. Roosevelt, accompanied by his family, was whisked out to the royal estate at Potsdam. There the party were received with open arms and little show of formality.

Almost the first question the German Emperor asked Mr. Roosevelt was in regard to his health, particularly his throat, explaining that alarming reports had been current in Berlin. Mr. Roosevelt replied that, though suffering from a bad cold and forbidden by the doctors to tax his throat, he felt comparatively well. He characterized the alarming stories as "nonsense."

### Welcome At Station.

The arrival of the Roosevelt party at the Stettin station here was the occasion of one of the most remarkable demonstrations Berlin has ever seen. The great barnlike structure was given over almost entirely to Americans, who packed the platforms and waiting rooms. Outside a vast throng of Germans awaited the first appearance of the man whose coming has aroused more interest in Germany than the visit of any other single individual in years.

Police President Von Jagow had made extensive preparations for the event, and cordons of glittering troops were drawn up about the station; within the building a large detail of police kept the crowds in order.

Long before the time for the arrival of the Stockholm train, 9:08 a. m., there was little room to spare in the station.

### Americans of Note There.

Second Secretary Joseph C. Grew, of the American embassy, had been detailed to meet the train at Treleborg, Sweden, to greet Mr. Roosevelt in the name of Ambassador Hill and escort him across the Baltic to Sassnitz, the first German station.

Not only was practically every member of the American colony at the station, but many distinguished travelers from the States were at the station, including Henry White, ex-ambassador to France, and Seth Low of New York.

As Mr. Roosevelt stepped down from the train the great mass of his compatriots broke into cheers, and the salute given up by the Germans outside the station.

"Hurrahs!" and "Hochs!" a great volley of "Hurrahs!" and "Hochs!" went up, followed by continued cheering as the remoter parts of the crowd caught the signal.

After a few moments of greetings with old friends, Mr. Roosevelt, Mr. Roosevelt, and Miss Ethel, were taken in an automobile to the embassy, where they were to stay during their visit. The entertainment at the palace having been made impossible by the Kaiser's mourning for his uncle, Edward VII, Ambassador Hill did not greet Mr. Roosevelt at the station, but awaited him at the embassy.

Secretaries Grew and the guest of Secretary Grew were here. Beyond the Potsdam visit today little was planned in the way of entertainment, the evening being largely given over to a private dinner at the embassy, to which only a few friends of Mr. Roosevelt were invited.

### Mix-up In Program.

An interesting feature of the former President's stay in Berlin is the designation of a special aide to him. This aide, plenipotentiary Colonel Von Koerner, who formerly military attaché to the German embassy at Washington, and while residing there became a close friend of Roosevelt, is the only German official at the station when the party came ashore.

An awkward mix-up marked the arrival of the Roosevelts, due to misinformed by the railroad officials, who telephoned the American embassy and the imperial palace that the train was coming in eight minutes. As a matter of fact, the train arrived one minute ahead of schedule time. Colonel Koerner explained the mistake to the visitor.

It was because of this mistake that Ambassador Hill was not at the station. The Kaiser had planned to have his imperial guard drawn up at the station to welcome the Colonel and to convey the Roosevelts to the American embassy in the imperial carriages.

The guard, resplendent in gold and lace, and the imperial carriages, rich with their trappings, all arrived, however, after the Roosevelts had been bundled into taxicabs and started for the embassy.

When the Kaiser heard of the mistake he upbraid those in charge of the reception plans for their carelessness.

Though warm, Berlin's greeting to Mr. Roosevelt was not without a few distinct notes of disapproval. These would certainly have been much plainer had the Kaiser been able to carry out his original intention of meeting Mr. Roosevelt at the station.

The recent attack on the guest made by Maximilian Harden, the exposé of the Kaiser's "Round Table" was recalled today, fragments of it being reprinted by one or two papers.

In that attack Harden blamed Mr. Roosevelt for Germany's defeat in the Moroccan conference at Algeiras, because he sent telegrams to the Kaiser recommending that Germany yield to the proposals of France. Roosevelt's career, Harden characterized as "a carnival of bluff, bluster, and timidity," largely the work of a born press agent.

The attack concluded, "the applause opportunity of demonstrating that it contains a race of serious-minded people who are of age."

The newspapers are filled with stories relating to Mr. Roosevelt and the comic papers without exception carry cartoons depicting his European trip.

## Roosevelts' Royal Hosts—Their Berlin Home



ROYAL PALACE IN BERLIN.

## HYDE KNOCKS HOLES IN THE STATE'S CASE

Defendant Resumes Stand  
and Makes Further De-  
nials of Charges.

KANSAS CITY, Mo., May 10.—Dr. Bennet Clarke Hyde today resumed the witness stand and made further denial of having caused the death of Col. Thomas H. Swope, millionaire philanthropist.

The accused physician showed no signs of nervousness and to a stranger he might have passed for a cold, indifferent, critical, scientific witness for some accused murderer.

Each point made by the witness in his own behalf was a telling blow on the case made against him by the State.

Among his most important assertions were: "Moss Hutton died of apoplexy."

"I gave Colonel Swope a digestive capsule and cast poison."

"I warned Mrs. Swope several times not to use cistern water."

"Colonel Swope never spoke to me about his will."

"I did not know what my wife would inherit."

Encourages Husband.

Mrs. Florence B. Hyde, niece of the man the physician stands charged with having murdered, sat in a chair directly in front of her husband, and each time he turned to her he was rewarded with a smile of encouragement.

The crowd which demanded admission to the court room became so large and unruly that Judge Lathrop threatened to clear the court house unless order was maintained.

Dr. Hyde first told today of having obtained cultures from Dr. Swope, and which he used for experimental purposes. He stated that one time when he was absent from his office test tubes containing cultures and some cyanide of potassium were stolen.

"Neither was ever returned," he declared. "I kept the potassium in my office to exterminate vermin and also to cleanse my hands of nitrate of silver."

"Did you ever use it for medicinal purposes?" was asked.

"Never."

Denies Poison Charge.

"Doctor," asked his lawyer slowly and impressively, "did you ever administer poison to anyone?"

Dr. Hyde looked at his lawyer a full half-moment and then replied: "I swear that I have never done such a thing."

He explained his trip to New York to meet Lucy Lee Swope by stating that his wife's condition would not permit her to make the trip alone unless it be attended by serious consequences.

"I had a little silver cup with me," he explained, "and I may have used it a couple of times—"

"No."

"Do you ever discard any cyanide of potassium on a public street and grind it under your heel?"

The cross-examination was taken up at this point.

LONG TROLLEY TRIP  
STARTS FROM UTICA

Twenty-two Business Men Take  
2,500-Mile Tour Over Electric  
Lines to Louisville.

UTICA, N. Y., May 10.—The longest continuous electric railway tour ever undertaken started here today, when twenty-two business men left on a journey that will extend 2,500 miles through portions of New York, Pennsylvania, Ohio, Indiana, Kentucky, and Michigan.

The entire trip will be made in electric cars, exclusively on electric lines. The cars geared to travel seventy miles an hour, is luxuriously appointed and contains berths and all accessories.

Louisville, Ky., is the destination. The party took luncheon in Syracuse today and will dine tonight in Rochester.

STATE PRINTER SENTENCED.

COLUMBUS, Ohio, May 10.—Former State Printer Mark Slater has been sentenced to four years in the Ohio penitentiary by Judge Dillon. Slater was convicted on the charge of certifying to false vouchers amounting to \$5,591. It was said that he received about \$26,000 graft. He will appeal.

ELECTIONS IN SPAIN.

MADRID, May 10.—The republicans and socialists cast 42,500 votes in Madrid, against 60,500 polled by the monarchists. The republicans won also in Barcelona and Valencia. Premier Canalejas will have 25 supporters in the cortex, while the conservatives will hold 38 seats, the republicans 45, carlists 4, and the indecisos 11.

SEYLER INDICTED  
FOR GIRL'S MURDER

MAYS LANDING, N. J., May 10.—William Seyler was indicted today for the murder of Jane Adams on the Million-Dollar Pier at Atlantic City last February. He was immediately arraigned and pleaded not guilty. May 23 was set as the date of trial.

SIX FIREMEN HURT  
IN \$50,000 BLAZE

Flames Break Out Simultaneously in Different  
Parts of Building.

PHILADELPHIA, Pa., May 10.—Six firemen were overcome and another seriously injured in a conflagration which early today did \$50,000 damage to the five-story brick building at 1430-32-34 South Penn Square.

Apparently flames broke out simultaneously in different parts of the building, and the police are making a thorough investigation into the origin of the blaze.

The lower floors were occupied by law and brokerage offices.

## RAILROAD MEASURE PASSED IN HOUSE, SECTION 12 IS LOST

By Vote of 200 to 126 Lower  
House Acts Favorably on  
Administration Bill.

## AMENDMENT LOST BY A CLOSE MARGIN

Insurgents Are Badly Split on the  
Section to Create a Court  
of Commerce.

The House today passed the Administration bill as amended in Committee of the Whole as it was reported to the House from that committee by a vote of 200 to 126.

Chairman Mann, of the Interstate and Foreign Commerce Committee, endeavored to put back into the bill section 12 in the form in which it was amended in Committee of the Whole before it was finally struck out.

This section prohibited railroad companies and water carriers from acquiring any interest in the capital of substantially competitive corporations, but allowing the railroad companies and water carriers to acquire an interest in the capital stock of railroad companies and water carriers declared by the Interstate Commerce Commission to be "not substantially competitors."

Amendment Defeated.

This amendment was defeated by a vote of 193 to 190, and an analysis of the vote discloses the interesting fact that the amendment would have carried had it not been for the opposition of Massachusetts, Rhode Island, and Connecticut Republicans.

As soon as the Mann amendment had been disposed of and the third reading of the bill ordered, Representative Adamson of Georgia, senior Democrat of the Interstate and Foreign Commerce Committee, made his motion to recommit the bill with instructions.

Insurgents Split.

The most important of these instructions was that providing that the committee report the bill back to the House without the section creating the court of commerce, so much desired by President Taft.

On this proposition the insurgents were badly split, and the motion was lost by a vote of 193 to 197, twenty votes less than the number necessary to send the bill back to the committee.

Mr. Mann then asked for a vote on the bill, as reported from the committee of the Whole and the bill was passed.

Vote Is Close.

It was by the rather close vote of 193 to 190 that the House refused to reinsert in the railroad bill section 12, which is known as the merger section and which had been already eliminated in the Committee of the Whole.

Section 12 remained in the bill through the fact that a few insurgents, a few regulars, and the solid Democratic membership voted against it. When Mr. Mann first presented the amendment to reinsert section 12, it seemed that the organization on the vote had carried the day.

A roll call, however, was demanded before the standing vote count was completed, and, in the meantime, the Democrats developed that the opposition had sufficient votes to finally dispose of the section.

As soon as the vote on the merger section was announced the previous question was ordered. Representative Adamson of Georgia, senior Democrat member on the Interstate and Foreign Commerce Committee, moved to recommit the entire bill to that committee with instructions to report it back minus any provision for the creation of the commerce court.

Adamson Gives Notice.

Mr. Adamson gave notice Friday last that he would move to strike out all sections relating to the commerce court as soon as the bill was presented to the House for final passage.

The following Republicans, some of their insurgents and some regulars, voted against section 12: Ames, Cary, Carrier, Draper, Gillett, Green, Grinna, Haugen, Henry, Higgins, Hill, Hibbard of Iowa, Kendall, Lenrow, Lindbergh, Nelson, Parker, Polndexter, Roberts, Sheffield, Sherry, Tilton, Tarrell, Washburn, Weeks, members on the interstate and foreign commerce committee.

Mann Amendment Out.

The Mann amendment, which the House defeated today, was virtually the same as the merger section of the original bill as knocked out in the committee of the whole after it had been perfected. It provided that lines substantially competitive should not merge and that directors of one railroad corporation should not hold office in another water carrier or railroad.

That part of the section, however, which caused its original defeat in the committee of the whole and again in the House proper when the bill was put upon its final passage today, was that which permitted mergers of non-competitive lines if consent were given by the Interstate Commerce Commission.

It was this provision which the Democrats and a handful of insurgents alleged would partly nullify the Sherman anti-trust law. Mr. Mann assured Representative Sulzer, at the beginning of the limited debate today, that no such purpose would be accomplished.

The Responsible Clause.

This is the clause in the section which is directly responsible for the defeat of section 12 in its entirety in the House this afternoon.

"Provided, however, that any railroad or water carrier corporation, being a common carrier, may lease or purchase any railroad or water line, or may acquire any interest in the capital stock of the corporation of any railroad or water line, that is not substantially competitive, if the public welfare will be thereby promoted, but no such purchase or lease shall be made, except upon application to the Interstate Commerce Commission, and upon an order of said commission permitting such lease or sale. The Interstate Commerce Commission is hereby given jurisdiction